

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AVNER MALOUL and ALLEN LOWY.

Plaintiff,

-against-

IVAN BERKOWITZ, GREAT COURT  
CAPITAL, LLC, SD PARTNERS, LLC,  
UTIX GROUP, INC., VSUS TECHNOLOGIES,  
INC., and SUNSET BRANDS, INC.,

Defendants.

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK)

STEVEN R. POPOFSKY, being sworn, states as follows:

1. I am a member of Gersten Savage LLP, counsel for the moving defendants Ivan Berkowitz, Great Court Capital, LLC and SD Partners, LLC, in this action. I respectfully submit this affidavit to transmit to the Court the following exhibits referred to in the accompanying memorandum of law in support of movants' motion to dismiss the amended complaint:

Exhibit A: Amended Complaint, dated January 24, 2008

Exhibit B: Initial Complaint, dated September 25, 2007

Exhibit C: Defendants' Memorandum of Law in Support of Motion to Dismiss, dated November 21, 2007

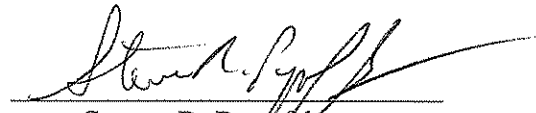
Exhibit D: Plaintiffs' Memorandum of Law in Opposition to Motion to Dismiss Complaint,  
dated December 17, 2007

Exhibit E: Defendants' Reply Memorandum of Law in Support of Motion to Dismiss, dated December 31, 2007

Exhibit F: Transcript of Oral Argument on Motion to Dismiss, January 3, 2008

**TRANSMITTAL AFFIDAVIT  
IN SUPPORT OF MOTION TO  
DISMISS**

07 Civ. 8525 (LBS)

  
Steven R. Popofsky

Sworn to before me this  
27th day of February, 2008

  
Notary Public

Judith Russell  
Notary Public, State of NY  
No. 01RU6023388  
Qualified in Kings County  
Commission Expires April 19, 2011